

# IN THE CLAIMS

1. (Currently Amended): A live well tank for use on a boat to hold water and fish, said tank comprising:

a bottom;

a lower sidewall section having first and second opposing ends, said lower sidewall section coupled with said bottom at said first end to define an a-lower interior compartment;

~~an upper sidewall section having first and second opposing ends;~~

a top coupled with said second end of said upper sidewall section, said top forming an opening sized for receiving a fish, said top having an upper surface projecting inwardly from said ~~upper~~ sidewall section to cover a portion of said interior compartment;

a baffle coupled with said upper and lower sidewall sections having first and second surfaces, said first surface extending generally horizontally from ~~said second end of~~ said lower sidewall section inwardly into said interior compartment, said second surface extending outwardly toward ~~said first end of~~ said upper sidewall section to form an upper section of said interior compartment between said baffle and said top, wherein ~~water can come into contact with the upper sidewall~~ said second surface is formed such that a portion of the upper section of said interior compartment is positioned directly above said second surface, and said upper section of said interior compartment is sized such that a fish received by the opening of said top may travel through said interior compartment upper section; and

an overflow drain coupled with said ~~upper~~ sidewall section of said tank between said top and said baffle whereby said upper section is capable of retaining water near said top of said compartment regardless of the movement of the boat so that sloshing within the compartment is minimized.

2. (Previously Amended): The livewell tank of claim 1, wherein said upper surface extends inwardly into said compartment completely about said sidewall section, said upper surface terminating at an inner edge defining said opening.

3. (Previously Amended): The livewell tank of claim 2 wherein said opening is generally rectangular.

4. (Previously Amended): The livewell tank of claim 1 wherein said sidewall section includes a front wall directed in the direction of forward motion of the boat wherein said drain is coupled with said front wall.

5. (Cancelled).

6. (Currently Amended): The livewell tank of claim 5 1 wherein said baffle extends completely about said sidewall section.

7. (Previously Amended): The livewell tank of claim 1, wherein said first surface is generally planar and said second surface is curved.

8. (Previously Amended): The livewell tank of claim 1 wherein said top includes a ledge surface extending outwardly from said sidewall section, said ledge surface coupled with said upper surface to form a mounting flange.

9. (Previously Amended): The livewell tank of claim 2 wherein said top further includes a sealing flange upstanding from said upper surface.

10. (Cancelled).

11. (Previously Amended): The livewell of claim 9 wherein a collar is coupled with said sealing flange, said collar made of a resilient material.

12. (Currently Amended): A livewell tank for use on a boat to hold water and fish, said tank comprising:

a bottom;

a ~~lower~~ sidewall section having first and second opposing ends, said ~~lower~~ sidewall section coupled with and upstanding from said bottom at said first end to define an a ~~lower~~ interior compartment;

~~an upper sidewall section having first and second opposing ends;~~

a top coupled with said second end of said ~~upper~~ sidewall section, said top forming an opening sized for receiving a fish, said top having an upper surface projecting inwardly from a portion of said ~~upper~~ sidewall section to cover a portion of said interior compartment; and

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42 Cont. A baffle coupled with said upper and lower sidewall sections, said baffle having first and second surfaces, said first surface extending generally horizontally from said ~~second end~~ of ~~lower~~ sidewall section inwardly into said interior compartment, said second surface extending outwardly toward ~~said first end of said upper~~ sidewall section to form an upper section between said baffle and said top, wherein ~~water can come into contact with the upper sidewall~~ said second surface is formed such that a portion of the upper section is positioned directly above said second surface, and said upper section is sized such that a fish received by the opening of said top may travel through said upper section, whereby said upper section is capable of retaining water near said top of compartment regardless of the movement of the boat so that sloshing within the compartment is minimized.

13. (Previously Amended): The livewell tank of claim 12, wherein said upper surface extends completely about said sidewall section and inwardly into said compartment, said upper surface terminating at an inner edge defining said opening.

14. (Cancelled).

15. (Previously Amended): The livewell tank of claim 12, wherein said first surface is generally planar and said second surface is curved.

16. (Original): The livewell tank of claim 12 further comprising an overflow drain coupled with said sidewall section proximate said top wherein said baffle is positioned between said overflow drain and said bottom proximate said overflow drain..

17. (Original): The livewell tank of claim 12 wherein said baffle extends completely about said sidewall section.

18. (Previously Amended): The livewell tank of claim 12 wherein said top includes a ledge surface extending outwardly from said sidewall section, said ledge surface coupled with said upper surface to form a mounting flange.

19. (Previously Amended): The livewell tank of claim 18 wherein said top further includes a sealing flange upstanding from said upper surface.

20. (Cancelled).

21. (Previously Amended): The livewell of claim 19 wherein a collar is coupled with said sealing flange, said collar made of a resilient material.

22. (New): The livewell tank of claim 1, wherein the sidewall section has an outwardly extending portion proximal to the tank bottom.

23. (New): The livewell tank of claim 22, wherein said outwardly extending portion is generally semicircular in cross section at a terminal end thereof.

24. (New): The livewell tank of claim 1, wherein said first surface has a portion parallel to a portion of the second surface.

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